

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

United States of America

v.

Criminal No. 07-cr-183-01-JD

Shelley Furtado

O R D E R

On September 11, 2009, defendant appeared for a "probable cause" hearing under Fed. R. Crim. P. 32.1 on one alleged violation of conditions of supervision. She waived preliminary hearing and I therefore find probable cause to hold her for a revocation hearing.

Defendant sought bail conditions under Rule 32.1(a)(6). Under Rule 32.1(a)(6) defendant bears the burden of establishing by clear and convincing evidence that She waived preliminary hearing and will not flee and that he poses no danger to any other person or to the community. She used cocaine the last five months of her pregnancy and snorted cocaine the day before she delivered a baby with cocaine in its system. She is a danger to this five-day old infant and to herself. There are no conditions which are likely to assure the safety of the community.

Accordingly, it is **ORDERED** that the defendant be detained pending trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED.


James R. Muirhead
United States Magistrate Judge

Date: September 11, 2009

cc: Alfred J.T. Rubega, Esq.
Sven D. Wiberg, Esq.
U.S. Marshal
U.S. Probation